

IN THE CLAIMS:**Please amend the claims as follows:**

1 (Currently Amended). A method comprising:

determining in real time whether information guaranteed a fixed amount of bandwidth for a fixed length of time broadcast digitally is actually utilizing all bandwidth previously allocated to broadcasting the information; ~~and~~

if not, broadcasting additional information using an unused portion of the previously allocated bandwidth;

limiting the amount of additional information to a preset percentage of the total available bandwidth,

wherein said broadcasting of a portion of the additional information is stopped when the preset percentage is reached.

2. (Cancelled).

3. (Original) The method of claim 1 including determining in real-time whether

additional information can be broadcast over a portion of the previously allocated bandwidth that is actually unused.

4 (Cancelled).

5. (Currently Amended) The method of ~~claim 4 wherein~~ claim 1 wherein said broadcasting the portion of the additional information to be stopped is selected based upon at least one of content provider, bandwidth range and sequence of content provision.

6. (Previously Presented) The method of claim 1 including determining in real-time whether there is any unallocated bandwidth; and, if there is unallocated bandwidth with respect to a particular timeframe, broadcasting supplementary information to occupy at least a portion of the unallocated bandwidth during the particular timeframe.

7. (Original) The method of claim 6 including determining in advance of the particular timeframe whether the supplementary information can be broadcast

over the unallocated bandwidth.

8. (Currently Amended) A digital communication system comprising:

an automated management system that controls scheduling of digital broadcasts, and is configured to determine in real time whether information guaranteed a fixed amount of bandwidth for a fixed length of time broadcast actually utilizes all bandwidth previously allocated to broadcasting the information, and if not, to broadcast additional information using an unused portion of the previously allocated bandwidth,

wherein the automated management system is configured to limit the amount of additional information to a preset percentage of the total available bandwidth,

wherein the automated management system is configured to stop the broadcast of a portion of the additional information when the preset percentage is reached.

9. (Cancelled).

10. (Original) The digital communication system of claim 8 wherein the automated management system is configured to determine whether additional information can be broadcast over a portion of the previously allocated bandwidth that is actually unused.

11 (Cancelled).

12. (Currently Amended) The digital communication system of claim ~~11~~ 8 wherein the system is configured to select the portion of the additional information to be stopped based on at least one of content provider, bandwidth range, and sequence of content provision.

13. (Original) The digital communication system of claim 8 wherein the automated management system is configured to determine whether there is any unallocated bandwidth; and, if there is unallocated bandwidth with respect to a particular timeframe, the system is configured to broadcast supplementary information to occupy at least a portion of the unallocated bandwidth during the particular timeframe.

14. (Original) The digital communication system of claim 13 wherein the automated management system is configured to determine in advance of the particular timeframe whether the supplementary information can be broadcast over the unallocated bandwidth.

15. (Currently Amended) An article comprising a computer-readable medium which stores computer-executable instructions for causing a computer system to:

determine in real time whether information guaranteed a fixed amount of bandwidth for a fixed length of time broadcast over a digital network is actually utilizing all bandwidth previously allocated to broadcasting the information; and

if not, broadcast additional information using an unused portion of the previously allocated bandwidth;

limit the amount of additional information to a preset percentage of the available bandwidth; and

stop broadcasting a portion of additional information when the preset percentage is reached.

16 (Cancelled).

17. (Original) The article of claim 15 which further stores instructions that cause the computer system to determine whether additional information can be broadcast over a portion of the previously allocated bandwidth that is actually unused.

18 (Cancelled).

19. (Currently Amended) The article of claim ~~18~~ 15 which further stores instructions that cause a computer to stop broadcasting a portion of the additional information and wherein the portion of the additional information is selected based on at least one of content provider, bandwidth range and sequence of content provision.

20. (Original) The article of claim 15 which further stores instructions that cause a computer to determine in real-time whether there is any unallocated bandwidth; and, if there is unallocated bandwidth with respect to a particular timeframe,

broadcasting supplementary information to occupy at least a portion of the unallocated bandwidth during the particular timeframe.

21-24. (Cancelled).